

Appendix 3

Relevant Regulatory Agencies

<u>Agency</u>	<u>Abbreviation</u>	<u>Description</u>
California Public Utilities Commission	CPUC	<ul style="list-style-type: none"> • “The CPUC is a regulatory agency that regulates privately owned public utilities in California.” Ex. 6 (2017 Form 10-K) at 9. • “The CPUC has jurisdiction over the rates and terms and conditions of service for the Utility’s electric and natural gas distribution operations, electric generation, and natural gas transmission and storage services.” <i>Id.</i> • “The CPUC also has jurisdiction over the Utility’s issuances of securities, dispositions of utility assets and facilities, energy purchases on behalf of the Utility’s electric and natural gas retail customers, rates of return, rates of depreciation, oversight of nuclear decommissioning, and aspects of the siting of facilities used in providing electric and natural gas utility service.” <i>Id.</i> • “The CPUC enforces state laws and regulations that set forth safety requirements pertaining to the design, construction, testing, operation, and maintenance of utility gas and electric facilities.” <i>Id.</i> • “The CPUC can impose penalties of up to \$50,000 per day, per violation, for violations that occurred after January 1, 2012. (The statutory maximum penalty for violations that occurred before January 1, 2012 is \$20,000 per violation.) The CPUC has wide discretion to determine the amount of penalties based on the totality of the circumstances, including such factors as the gravity of the violations; the type of harm caused by the violations and the number of persons affected; and the good faith of the entity charged in attempting to achieve compliance, after notification of a violation.” <i>Id.</i>
California Department of Forestry and Fire Protection	Cal Fire	<ul style="list-style-type: none"> • Cal Fire “pursue[s] civil cost recovery cases where a person is allegedly responsible for the cause of a fire either through willfulness, negligence, or violation of law.”¹ • Cal Fire personnel “conduct patrols, investigate fires, investigate reports of forest and fire law violations, make arrests, issue citations, conduct surveillance operations, collect and preserve evidence, and testify in court.” <i>Id.</i> Its personnel also “respond to fires statewide, move quickly to protect the area of origin, and utilize multiple resources and consultants to help determine the cause of an incident.” <i>Id.</i>

¹ Cal. Dep’t Forestry & Fire Protection, *Law Enforcement and Civil Cost Recovery*, <https://www.fire.ca.gov/what-we-do/fire-resource-assessment-program> (last visited Dec. 13, 2023).

<u>Agency</u>	<u>Abbreviation</u>	<u>Description</u>
		<ul style="list-style-type: none"> Cal Fire “assesses the amount and extent of California’s forests and rangelands, analyzes their conditions and identifies alternative management and policy guidelines.”² Cal Fire “release[s] updated Fire Hazard Severity Zone[s].” <i>Id.</i>
Safety and Enforcement Division of the CPUC	SED	<ul style="list-style-type: none"> “The CPUC has delegated authority to the SED to issue citations and impose penalties for violations identified through audits, investigations, or self-reports.” Ex. 6 (2017 Form 10-K) at 9. “[T]he SED has discretion whether to issue a penalty for each violation, but if it assesses a penalty for a violation, it is required to impose the maximum statutory penalty of \$50,000, with an administrative limit of \$8 million per citation issued.” <i>Id.</i> “Penalty payments for citations issued pursuant to the gas and electric safety citation programs are the responsibility of shareholders of an issuer and must not be recovered in rates or otherwise directly or indirectly charged to customers.” <i>Id.</i> SED performs incident investigations and audits, develops proposed new safety rules, and takes enforcement actions to prevent violations of natural gas, electric, and telecommunications General Orders and statutory requirements.³ SED has the authority to issue citations with penalties against utility operators for violations of public utility safety codes and requirements. <i>Id.</i>
Wildfire Safety and Enforcement Branch	WSEB	<ul style="list-style-type: none"> “The Wildfire Safety and Enforcement Branch (WSEB) of the Safety and Enforcement Division regulates and enforces electrical and Public Safety Power Shutoff (PSPS) safety regulations and guidelines, and develops policies to protect consumers, safeguard the environment, and assure Californians’ access to safe and reliable utility infrastructure and services.”⁴ “WSEB oversees [PG&E’s] use of protective equipment and device settings (PEDS) to reduce the risk of wildfires.” <i>Id.</i>

² Cal. Dep’t Forestry & Fire Protection, *Cal Fire*, <https://www.fire.ca.gov/what-we-do/fire-resource-assessment-program> (last visited Dec. 13, 2023).

³ Cal. Pub. Util. Comm’n, *Safety and Enforcement Division*, <https://www.cpuc.ca.gov/about-cpuc/divisions/safety-and-enforcement-division> (last visited Dec. 13, 2023).

⁴ Cal. Pub. Util. Comm’n, *Wildfire Safety and Enforcement Branch*, <https://www.cpuc.ca.gov/regulatory-services/safety/electric-safety-and-reliability-branch> (last visited Dec. 13, 2023).

<u>Agency</u>	<u>Abbreviation</u>	<u>Description</u>
		<ul style="list-style-type: none"> • “The Wildfire Safety Enforcement Branch (WSEB) investigates all wildfires reported to involve investor-owned utility equipment.” <i>Id.</i>
Electric Safety and Reliability Branch of the CPUC	ESRB	<ul style="list-style-type: none"> • “ESRB enforces CPUC rules and regulations to ensure that power plant operators and utility companies run a safe and reliable electric or communication system.”⁵ • “ESRB regulates the safety of overhead and underground electric and communication facilities owned by utilities, co-ops and municipalities by enforcing General Orders 95, 128, 165 and 174.” <i>Id.</i> • “The mission of the [ESRB] is to enforce state statutes and regulations regarding the safety and reliability of electric facilities, communication facilities, and power plants that are within the jurisdiction of this Commission in California; to ensure that the facilities are operated and maintained in a safe and reliable manner to protect and promote the public health and safety; and to facilitate an environment inside and outside of the Commission that increases the safety and reliability of these facilities.” <i>Id.</i> • “ESRB regulates power plants owned by generating asset owners (GAO), by enforcing General Order 167-B. The purpose of this General Order is to implement and enforce operation and maintenance standards to ensure reliable electric generation.” <i>Id.</i>
U.S. Department of Energy	DOE	<ul style="list-style-type: none"> • “The Department of Energy manages the United States’ nuclear infrastructure and administers the country's energy policy”⁶ • “The United States Congress has mandated through various statutes that the Department of Energy (DOE) is to implement energy conservation standards and test procedures for residential products and commercial and industrial equipment.”⁷ • “DOE has published regulations in the Code of Federal Regulations.” <i>Id.</i>

⁵ Cal. Pub. Util. Comm’n, *Electric Safety and Reliability Branch*, <https://www.cpuc.ca.gov/regulatory-services/safety/electric-safety-and-reliability-branch> (last visited Dec. 13, 2023).

⁶ USAGov, *U.S. Department of Energy (DOE)*, <https://www.usa.gov/agencies/u-s-department-of-energy#:~:text=The%20Department%20of%20Energy%20manages,scientific%20research%20in%20the%20field> (last visited Dec. 13, 2023).

⁷ Dep’t of Energy, *Statutory Rules and Authorities*, <https://www.energy.gov/eere/buildings/statutory-rules-and-authorities> (last visited Dec. 13, 2023).

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Federal Energy Regulatory Commission	FERC	<ul style="list-style-type: none"> • “The FERC has jurisdiction over the Utility’s electric transmission revenue requirements and rates, the licensing of substantially all of the Utility’s hydroelectric generation facilities, and the interstate sale and transportation of natural gas.” Ex. 6 (2017 Form 10-K) at 9. • “The FERC regulates the interconnections of the Utility’s transmission systems with other electric system and generation facilities, the tariffs and conditions of service of regional transmission organizations and the terms and rates of wholesale electricity sales.” <i>Id.</i> • “The FERC has authority to impose fines of up to \$1 million per day for violation s of certain federal statutes and regulations.” <i>Id.</i>
Nuclear Regulatory Commission	NRC	<ul style="list-style-type: none"> • “The NRC oversees the licensing, construction, operation and decommissioning of nuclear facilities, including the Utility’s two nuclear generating units at Diablo Canyon and the Utility’s retired nuclear generating unit at Humboldt Bay.” Ex. 6 (2017 Form 10-K) at 10. • “NRC regulations require extensive monitoring and review of the safety, radiological, seismic, environmental, and security aspects of these facilities. In the event of non-compliance, the NRC has the authority to impose fines or to force a shutdown of a nuclear plant, or both.” <i>Id.</i>
California Air Resources Board	CARB	<ul style="list-style-type: none"> • “The CARB is the state agency responsible for setting and monitoring GHG and other emission limits.” Ex. 6 (2017 Form 10-K) at 10. • “The CARB is also responsible for adopting and enforcing regulations to implement state law requirements to gradually reduce GHG emissions in California.” <i>Id.</i>
California Energy Resources Conservation and Development Commission	CEC	<ul style="list-style-type: none"> • “The CEC is the state’s primary energy policy and planning agency.” Ex. 6 (2017 Form 10-K) at 10. • “The CEC is responsible for licensing all thermal power plants over 50 MW within California. The CEC also is responsible for . . . determining the adequacy of the utilities’ electricity procurement plans and for adopting building and appliance energy efficiency requirements.” <i>Id.</i>